



1 \$7,084.MT2

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8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF GUAM**

11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 vs.)
14 \$7,084.00 UNITED STATES)
CURRENCY,)
15 Defendant.)
16

CIVIL CASE NO. 03-00026

**UNITED STATES SECOND
REQUEST FOR MOTION TO
CONTINUE SCHEDULING
CONFERENCE AND PROPOSED
ORDER; AND EXTEND DATELINE
DATES REGARDING SCHEDULING
ORDER AND DISCOVERY PLAN**

17 COMES NOW the United States and requests this Honorable Court to continue the
18 Scheduling Conference currently scheduled for October 30, 2003. On August 21, 2003, the
19 Court issued an order directing the government "and all pro se litigants that have appeared in the
20 case" to file proposed scheduling orders and discovery plans by September 24, 2003. The United
21 States makes this motion because there are no other litigants as of this date. This is an
22 uncontested forfeiture of abandoned monies found in a hotel room where drug trafficking
23 occurred. No one came forward to claim ownership of this money, either at the time it was
24 seized or at any time thereafter. Three notices concerning the forfeiture have already been
25 published. The publication dates of the notices of forfeiture were September 13, 2003,
26 September 20, 2003 and September 27, 2003. Given that whoever comes forward to claim this
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1 money will also be admitting to drug trafficking, it is highly unlikely that anyone will do so. The
2 last date for any claimant to file a claim is October 27, 2003.

3 Accordingly, the government requests that the court continue this order pending the last
4 date for a claim to be filed. If a claimant files a claim and answer pursuant to Rule C(6) of the
5 Supplemental Rules of Certain Admiralty and Maritime Claims, the government will then
6 request this Honorable Court to file a new scheduling order. Otherwise, the government will be
7 moving for default judgment and forfeiture as otherwise provided by law.

8 RESPECTFULLY SUBMITTED this 23rd day of October, 2003.

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10 LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and CNMI

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12 By: Karon V. Johnson
13 KARON V. JOHNSON
14 Assistant U.S. Attorney

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16 *** ORDER ***

17 IT IS HEREBY ORDERED that the Scheduling Conference scheduled for 3:00 p.m.
18 on October 30, 2003 is hereby rescheduled to November 12, 2003 at
19 3:00 pm.

20 IT IS FURTHER ORDERED that a proposed Scheduling Order and a proposed
21 Discovery Plan shall be filed no later than November 5, 2003.

22
23 OCT 27 2003

24 DATED

25 John S. Unpingco
26 JOHN S. UNPINGCO
27 Chief Judge
28 District Court of Guam

